

Our Docket No. 4216-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of

Letters Patent 5,568,207

Richard **CHAO**

Serial No.: 09/182,862

Filed: October 21, 1998

For: **AUXILIARY LENSES FOR EYEGLASSES**

Commissioner for Patents
Washington, D.C. 20231

Examiner: H. Mai

Group Art Unit: 2873

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SUPPLEMENTAL REISSUE DECLARATION BY INVENTOR

SIR:

As a below named inventor, I hereby declare that:

- I. My residence, post office address and citizenship are stated below next to my name.
- II. I believe I am the original and first inventor of the subject matter which is described and claimed in U.S. Patent No. 5,568,207 ("the '207 patent") granted on October 22, 1996, and for which a reissue patent is sought.
- III. I have reviewed and understand the contents of the '207 patent, including the claims as filed in this reissue and specifically referred to in either this supplemental oath or declaration, or the oath or declaration filed on October 21, 1998.

09182862-070401

Supplemental Reissue Declaration
Serial No. 09/182,862

Docket No. 4216-4000

- IV. I acknowledge the duty to disclose information known to me which is material to patentability as defined in 37 C.F.R. §§ 1.56 and 1.175(a)(7).
- V. All errors corrected by this reissue application up to the time of filing this supplemental oath or declaration under 37 C.F.R. §1.175 occurred without any deceptive intent on the part of the applicant.
- VI. I verily believe the '207 patent is wholly or inoperative by failing to provide a figure of an alternate embodiment of FIG. 7, labeled "FIG. 8" in which only "arm 21" extends downward towards projection 13, as expressly disclosed at column 3, lines 1-10,

...and the end portions of the arms 21 ... are slightly extended downward toward the projections 13 such that the arms 21...or the magnetic members 22 may hook on the primary spectacle frame 10 and such that the auxiliary spectacle frame 20 may further be stably supported and secured to the primary spectacle frame 10.

- VII. I verily believe the '207 patent is wholly or partly inoperative by failing to include the following description of FIG. 7, that describes the spacing between the magnets 14 and 22 which "spacing" is clearly depicted in original application FIG. 7.

In one embodiment, as shown in FIG. 7, magnetic members 14 and 22 are not in contact with each other, magnetic members 14 and 22 are engaged with, but not supported on, each other. Instead, the arms 21 securing the magnetic member 22 is supported on an upper side portion of the primary spectacle frame 10. As shown in FIG. 7, the upper side portion can be an upper part of the side portion securing the projection 13.

- VIII. I verily believe the '207 patent is wholly or partly inoperative by claiming less than I was entitled to claim, which error arose without deceptive intent. It was error, without deceptive intent, to recite in patent claim 1 "each having an arm extended for extending

Supplemental Reissue Declaration
Serial No. 09/182,862

Docket No. 4216-4000

over and for engaging with said upper side portion" instead of "at least one arm for
extending over said upper side portion."

IX. I hereby declare that all statements made herein of my own knowledge are true and that
all statements made on information and belief are believed to be true; and further that
these statements were made with the knowledge that willful false statements and the like
so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18
of the United States Code and that such willful false statements may jeopardize the
validity of the application or any patent issued thereon.

X. I hereby specify the following as the correspondence address to which all
communications about this application are to be directed:

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09182862-070401